

and, therefore, would not have to pay sales tax on utilities. I think that is grossly unfair. I think 715, as it is now, is a good bill and I think we should advance it without any amendments. Thank you.

SPEAKER NICHOL: Senator Beutler, then Senator Vard Johnson, second go around.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, someone was telling me how the concept of the red herring came into our language. It had to do with...I guess it came from the English actually, when they were out on fox hunts and the dogs were chasing the fox somebody would drag a red herring across the fox's trail and then the dogs would go and divert off and chase the red herring instead of chasing the fox. It seems to me that much of what is going on today is the red herring trick which is really a lawyer's trick also, probably came from lawyers originally. But the idea is to divert attention from the real arguments and to talk about things that are of interest and that are of concern to people, but are not really relevant to the issue before you. All the talk today has been about competing business in other states and whether this bill has an effect on that or doesn't. That is really the only argument that is being made today. But I submit to you that for four reasons it is not particularly relevant at all. First of all, it's been mentioned to you that in all surrounding states this tax is levied. So, obviously, for that reason it is not going to cause business to go to other states. We are already...we will be competitive with them when this bill passes. We will not be at a disadvantage. Secondly, this bill doesn't even apply to manufacturing and almost all types of business that have the choice of locating in different states. This bill applies again to commercial and retail establishments which must, by their nature, be located here. Thirdly, even if you wanted to talk about power costs, Nebraska is a public power state. Our power costs are relatively low already. I would submit to you that if they showed these energy costs on this chart that was passed around to you for all different states that Nebraska would be shown as being extremely competitive in power costs right now. And lastly, I think you should remember that in the State of Nebraska there is a volume break for the use of energy in this state and commercial establishments and retail establishments are already getting a break over the homeowner in the sense that they use more and, therefore, their cost per unit is lower.